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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RYAN SCOTT FLOWERS,

Plaintiff,

vs.

MARTIN O'MALLEY¹,
Commissioner of Social Security,

Defendant.

Case 2:23-cv-01693-BNW

UNOPPOSED MOTION FOR
EXTENSION OF TIME
(*FIRST REQUEST*)

Defendant, the Commissioner of Social Security, respectfully requests an extension of 30 days in which to respond to Plaintiff's Motion for Reversal and/or Remand (ECF No. 11), filed on January 17, 2024, changing the date on which Defendant's response is due to from February 16, 2024, to March 18, 2024 (March 17th falls on Sunday). This is Defendant's first request for an extension to respond to Plaintiff's motion. Counsel for Defendant conferred with a representative for counsel for Plaintiff on February 14, 2024, and confirmed that Plaintiff has no objection to this request.

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant makes this request in good faith and for good cause. I request this extension in
2 order to further consider the 1200-page administrative record in light of the two issues raised in
3 Plaintiff's motion. While I have been diligently trying to complete the review of this case file, I
4 additionally have had several briefs due in recent days in this and other district courts. In the next
5 month, I have eight more briefs due in various district courts of the Ninth Circuit, including this
6 one. Accordingly, I ask the Court for more time so that I can properly represent the Commissioner
7 in this and my other matters.

8 For these reasons, the Commissioner respectfully requests that the Court grant this motion
9 for an extension of 30 days for Defendant to respond to Plaintiff's Opening Brief.

10 DATED February 14, 2024.

Respectfully submitted,

11 JASON M. FRIERSON
12 United States Attorney

13 s/ Julie A.K. Cummings
14 JULIE A.K. CUMMINGS
15 Special Assistant United States Attorney
16 Office of Program Litigation, Office 7

17 Attorneys for Defendant

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20 IT IS SO ORDERED:

21 Brenda Weksler
22 HON. BRENDA WEKSLER
23 UNITED STATES MAGISTRATE JUDGE

24 DATED: 2/16/2024
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